

APPENDIX

Reports of Committees on Engrossed
and Enrolled Bills

Austin, Texas,
February 6, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 93
carefully examined, compared and
read, and find same correctly en-
grossed.

LANNING, Chairman.

Austin, Texas,
February 6, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 132
carefully examined, compared and
read, and find same correctly en-
grossed.

LANNING, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
rolled Bills, have had S. B. No. 25,
carefully examined, compared and
read, and find same correctly en-
rolled.

STONE of Galveston, Chairman.

Austin, Texas,
February 2, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 5
carefully examined, compared and
read, and find same correctly en-
grossed.

LANNING, Chairman.

EIGHTEENTH DAY

(Wednesday, February 8, 1939)

The Senate met at 10:00 o'clock
a. m., pursuant to adjournment, and
was called to order by President
Stevenson.

The roll was called, and the fol-
lowing Senators were present:

Aikin
Beck
Brownlee
Burns
Collie
Cotten
Graves
Hardin
Head
Isbell
Kelley
Lanning
Lemens
Martin
Metcalf
Moffett

Moore
Nelson
Pace
Redditt
Roberts
Shivers
Spears
Stone
of Galveston
Stone
of Washington
Sulak
Van Zandt
Weinert
Winfield

Absent—Excused

Hill

Small

A quorum was announced present.

The invocation was offered by the
Chaplain.

On motion of Senator Aikin, and
by unanimous consent, the reading
of the Journal of the proceedings of
yesterday was dispensed with and
the Journal was approved.

Leaves of Absence Granted

Senator Hill was granted leave of
absence for today on account of im-
portant business, on motion of Sen-
ator Aikin.

Senator Small was granted leave
of absence for today on account of
illness, on motion of Senator Spears.

Reports of Standing Committees

Senator Spears submitted the fol-
lowing reports of the Committee on
Criminal Jurisprudence:

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of
the Senate.

Sir: We, your Committee on Crim-
inal Jurisprudence, to whom was re-
ferred

S. B. No. 34, by Redditt, A bill to
be entitled "An Act to amend Article
1379 of the Penal Code of the State
of Texas, so as to increase the pen-
alty from a fine of not less than ten
nor more than five hundred dollars,
to confinement in the penitentiary for
not less than one nor more than five
years, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 102, by Redditt, A bill to be entitled "An Act to conserve, preserve, and protect lands, products of lands, including timber and crops, and providing penalties, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 137, by Spears, A bill to be entitled "An Act to amend Article 1149 of the Penal Code of this State, relating to Assault with Motor Vehicle, by providing that if any driver or operator of a motor vehicle or motorcycle shall wilfully or with negligence collide with or cause injury less than death to any other person he shall be guilty of aggravated assault; prescribing punishment upon conviction of such offense; providing that in the event such injuries result in death the driver or operator of such motor vehicle or motorcycle shall be dealt with under the general law of homicide; providing that all laws and parts of laws in conflict herewith are expressly repealed; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 107, by Kelley, A bill to be entitled "An Act amending the Acts of 1931, Forty-second Legislature, page 450, Chapter 270, relating to the theft of citrus fruits, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass as amended by sub-committee and be printed.

SPEARS, Chairman.

Senator Weinert submitted the following reports of the Committee on State Affairs:

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 129, by Graves, A bill to be entitled "An Act to amend Article 1323 of R. C. S. of 1925, as amended by H. B. No. 626, Chapter 235, Acts of the Regular Session of the Fortieth Legislature, so as to provide for the length of terms which directors may be elected to and serve for corporations formed under Subdivisions 1, 2, and 3 of Chapter 1, Title 32, R. C. S. 1925, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 209, A bill to be entitled "An Act to validate, ratify, approve, confirm, and declare enforceable all levies and assessments of ad valorem taxes heretofore made by county line

independent school districts, partly situated in three counties, the supervision of said school being located in counties having a population not less than seventeen thousand (17,000) nor more than seventeen thousand, five hundred (17,500), as shown by the last preceding Federal Census, not in excess of a limit now provided by law . . . etc." and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 159, by McAlister and Johnson of Tarrant, A bill to be entitled "An Act granting permission to A. B. Murdock to bring suit against the State of Texas and/or Highway Department in a Court of competent jurisdiction, for damages resulting by reason of the Texas State Highway Department withholding a certain sum as liquidated damages, which is due and owing to the said A. B. Murdock, for labor and material furnished in the building of Texas State Highway No. 34 in Tarrant County, Texas; providing that any judgment so recovered to be paid out of the funds of the Highway Department of the State of Texas; providing that if any provision of this Act shall be invalid, the validity of the other provisions thereof shall not be affected; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 179, by Brown of Cherokee et al., A bill to be entitled "An

Act authorizing the Old Age Assistance Commission to pay interest on warrants issued against the Texas Old Age Assistance Fund; making appropriations therefor; restricting the total amount to be paid on account of any warrant issued for a given month; prescribing the powers and duties of certain State Officials in reference thereto; prescribing the maximum rate of interest to be paid; providing authority for refinancing outstanding warrants with authority to contract relative thereto; providing that authority conferred in this Act shall not be limited by the provisions of Section 6 of Chapter 472, Acts of the Second Called Session of the Forty-fourth Legislature; providing for payment of warrants issued under authority of Chapter 496, Page 2084, Acts 1936, Forty-fourth Legislature, Third Called Session; providing for the payment of any warrants issued under the provisions of this Act; limiting the amount of warrants to be issued hereunder to not more than Nine Hundred Thousand Dollars (\$900,000.00) and further providing that no such warrants on which interest is to be paid shall be issued after September 1, 1939; making this Act cumulative of other laws by providing that it shall take precedence over any law conflicting herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 367, by Lock, A bill to be entitled "An Act to validate all county line independent rural high school districts partly situated in three (3) counties, the supervision of said schools being located in counties having a population of not less than eleven thousand, four hundred and twelve (11,412) nor more than eleven thousand, nine hundred (11,900), as shown by the last preceding Federal Census, validating the actions of the County School Board of Trustees of

such counties; validating all proceedings and actions of said Boards of Trustees; providing a saving clause; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WEINERT, Chairman.

Senator Aikin submitted the following reports of the Committee on Education:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 54, A bill to be entitled "An Act amending Article 2654 of the Revised Civil Statutes of 1925, as amended by Chapter 52, of the Acts of the Second Called Session of the Forty-first Legislature, by adding thereto a new article, to be known as Article 2654e, authorizing and directing the governing boards of the several institutions of collegiate rank, supported in whole or in part by public funds appropriated from the State Treasury, etc., and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 118, A bill to be entitled "An Act amending Article 7043 of the Revised Civil Statutes of the State of Texas, as amended Acts 1931, Forty-second Legislature, Second Called Session, page 53, Chapter 32, Section 1, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 134, A bill to be entitled "An Act validating and confirming the creation of the Junior College District of Washington County; provided that the college located in said District shall be called Blinn College; providing for the election of the Board of Trustees of said District and prescribing their powers and duties; repealing all laws and parts of laws in conflict, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 161, A bill to be entitled "An Act exempting certain independent school districts created under Chapter 5, Acts 1930, Forty-first Legislature, Fifth Called Session, from the provisions of Article 2767 of the Revised Civil Statutes, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 201, A bill to be entitled "An Act to amend Section 1 of Article 2691b, Chapter XI, Title 49 of the Revised Civil Statutes of Texas of 1925, as enacted by the First Called Session of the Forty-second Legislature, and being found in the Acts of 1931, Chapter XXXIX, at Page 83, by providing for the addi-

tion thereto of Lamar County, and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 271, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school districts, and/or independent consolidated school districts which include within their limits a city or town which according to the last preceding Federal Census had a population of not fewer than four thousand, one hundred and thirty (4,130) and not more than four thousand one hundred and eighty (4,180) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and beg to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senator Winfield submitted the following reports of the Committee on Counties and County Boundaries:

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 97, A bill to be entitled "An Act amending Article 3883 of the Revised Statutes of the State of Texas, providing for the maximum compensation of County officials in any County where the population is less than 20,000 inhabitants and which has a tax valuation of not less than \$17,000,000 and not exceeding \$25,000,000 according to the last approved tax roll and with a total area of not less than 950 square miles and not exceeding a square area of 980 square miles, and declaring an emergency,"

Have had the same under consideration, and I am instructed by the Committee to report it back with the recommendation that it do pass and be not printed.

COTTEN, Vice Chairman.

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

S. B. No. 96, A bill to be entitled "An Act amending Article 2350 of the Revised Statutes of the State of Texas, providing for the compensation of County Commissioners in any County where the population is less than 20,000 inhabitants and which has a tax valuation of not less than \$17,000,000 and not exceeding \$25,000,000 according to the last approved tax roll and with a total area of not less than 950 square miles and not exceeding an area of 980 square miles, and declaring an emergency,"

Have had the same under consideration, and I am instructed by the Committee to report it back with the recommendation that it do pass and be not printed.

COTTEN, Vice Chairman.

Senator Van Zandt submitted the following reports of the Committee on Civil Jurisprudence:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 57, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do pass as amended and be not printed.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 58, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do not pass.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 62, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do not pass.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 66, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do not pass.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 64, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do not pass.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 67, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do not pass.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 68, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do pass as amended and be not printed.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 69, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do pass as amended and be not printed.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 70, by Van Zandt,

Have had the same under consideration, and beg leave to report back to the Senate that it do pass as amended and be not printed.

VAN ZANDT, Chairman.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 16, A bill to be entitled "An Act providing that on and after the effective date of this Act,

delinquent taxpayers shall be permitted to pay such taxes in partial payments, providing for the creation and establishment of a system whereby such payments may be made in this manner; providing for a twenty month time limit in the payment of delinquent taxes under this system; providing for the institution of suit by the County Attorney or District Attorney or Criminal District Attorney in counties where there is no County Attorney, against such delinquent taxpayers upon default in making such payments under this Act; providing that no payment shall be received by the Assessor and Collector of Taxes, which payments total less than One (\$1.00) Dollar, and further, that accounts which total less than Ten (\$10.00) Dollars will not be opened; providing that when the sum of money sufficient to pay the earliest unpaid year of delinquent taxes owed by such taxpayer shall have been paid, such amount shall then be applied upon such taxes, and a redemption receipt issued therefor, providing for credit and apportionment of any amounts paid under this system less than an amount equal to one year's taxes, penalties and interest and the apportionment of such funds; providing that all of the funds received under the provisions of this Act shall immediately become the property of the State of Texas, and the respective county involved, and that no refunds shall be allowed; providing that the Assessor and Collector of Taxes may, in his discretion, allow the amount or amounts already paid into such partial payment account to be applied upon such taxes in the event the property covered is sold or transferred, and further, providing for the transfer of such partial payment account to the new owner; providing for the creation of a special account with the County Treasurer of the respective counties, in which funds collected under this system may be deposited until sufficient amount is collected to pay at least one year's taxes, at which time such amount shall be remitted by the County Treasurer to the Assessor and Collector of Taxes for proportionate distribution in the regular manner as provided by law for the distribution of other moneys, providing that the books, records and accounts maintained by the Assessor

and Collector of Taxes for the purpose of carrying out the provisions of this Act shall be subject to examination by the State Comptroller of Public Accounts and also by the County Auditor; providing for the manner by which said provisions would apply to cities, towns and independent school districts, or any political subdivision of the State; prescribing suitable forms, etc., to be used in carrying out the provisions of this Act; providing the provisions of this Act shall not affect any delinquent tax suits filed in courts of competent jurisdiction before the effective date of this Act, unless costs of court are fully paid; providing that if any clause, section, sentence, paragraph or part of this Act shall be held invalid, such invalidity shall not invalidate the remainder; repealing all laws and parts of laws in conflict, and declaring an emergency."

Respectfully submitted,
E. R. LINDLEY, Chief Clerk,
House of Representatives.

Senate Bills on First Reading

By unanimous consent, the following bills were introduced, read severally first time, and referred to the committees indicated:

By Senators Moffett and Metcalfe:

S. B. No. 167, A bill to be entitled "An Act creating a School Land Board; defining its powers and prescribing its duties; providing regulations for the sale and lease of all lands set apart for the Permanent Free School Fund and several asylum funds, the mineral estate in river beds and channels, and the mineral estate in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea; dedicating the mineral estate in river beds and channels and in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea, to the Permanent Free School Fund; abolishing the Board of Mineral Development; making an appropriation; providing that if any provision of this Act shall be held invalid or unconstitutional, the remaining provisions shall not be affected; providing that filings, applications, or litigation pending on effective date of this Act shall not be affected; suspending all parts of laws

in conflict; and declaring an emergency."

Referred to Committee on Public Lands and Land Office.

By Senator Roberts:

S. B. No. 168, A bill to be entitled "An Act creating a Special Road Law for DeWitt County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 31, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the County officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Senator Martin:

S. B. No. 169, A bill to be entitled "An Act creating the office of County Purchasing Agent in all counties in this State having a population of more than 140,000 inhabitants and less than 290,000 inhabitants, and wherein is situated an incorporated city of more than 140,000 inhabitants, according to the last preceding Federal Census; providing generally the rights, powers and duties of such Agent in reference to the handling and purchase of supplies, materials and equipment and in reference to contracting for repairs to property, and for expenditures generally; providing the means, manner and method of appointment, tenure and compensation of said Agent; prescribing offenses, fines and penalties; prescribing the duties of certain other officers in connection therewith; and providing that if any portion of this Act is held unconstitutional the remaining part of said Act will remain

unaffected; and declaring an emergency."

Referred to Committee on Internal Improvements.

By Senator Martin:

S. B. No. 170, A bill to be entitled "An Act creating a Lien upon the recovery to guarantee to an Attorney at Law the payment of his fees in cases prosecuted on a contingent basis; authorizing contracts by attorneys for not to exceed fifty per cent of recovery for services rendered or to be rendered; providing for the enforcement of such lien and contract; providing that this Act shall not affect any other Act specifically fixing attorney's fees for particular cases; repealing all other laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on Civil Jurisprudence.

By Senators Stone of Galveston and Spears:

S. B. No. 171, A bill to be entitled "An Act providing for voluntary apprenticeship to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship; to set up, as a means to this end, a program of voluntary apprenticeship under approved apprentice agreements providing facilities for their training and guidance in the arts and crafts of industry and trade, with parallel instruction in related and supplementary education; to promote employment opportunities for young people under conditions providing adequate training and reasonable earnings; to relate the supply of skilled workers to employment demands; to establish standards for apprentice training; to establish an Apprenticeship Council and local and State joint apprenticeship committees to assist in effectuating the purposes of this Act; to provide for a Director of Apprenticeship within the Bureau of Labor Statistics; to provide for reports to the Legislature and to the public regarding the status of apprentice training in the State; to establish a procedure for the determination of apprentice agreement controversies; and to accomplish related ends."

Referred to Committee on Labor.

By Senator Spears (by request):

S. B. No. 172, A bill to be entitled "An Act providing a more expeditious method of assessing and collecting taxes due cities, towns and independent school districts; the preparation of lists, abstracts and other data necessary to effect such collections; authorizing the governing bodies of cities, towns and independent school districts to employ attorneys to collect such taxes for a per cent of the taxes, penalty and interest collected; making available to all cities, towns, and independent school districts, when invoked, all the provisions of Titles 28 and 122, Revised Civil Statutes of Texas of 1925, pertaining to the assessment and collection of taxes for other taxing units; providing that the provisions of this Act shall be cumulative of, and in addition to, all rights and remedies to which any of the taxing units affected hereby are now entitled, repealing all laws in conflict herewith, providing a rule of construction and declaring an emergency."

Referred to Committee on State Affairs.

Reports of Standing Committees

Senator Spears, by unanimous consent, submitted at this time the following report of the Committee on Mining, Irrigation and Drainage:

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 159, by Spears, A bill to be entitled "An Act validating the organization of Water Control and Improvement Districts and validating all acts of the officials in creating such Districts; and validating all bonds issued and all bonds voted but not yet issued by such Districts; validating all acts of the officials of said District, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

PACE, Chairman.

Senator Van Zandt, by unanimous consent, submitted at this time the following reports of the Committee on Civil Jurisprudence:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill No. 163, by Small,

Have had the same under consideration and beg leave to report back to the Senate that it do pass and be printed.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

Senate Bill 156, by Redditt,

Have had the same under consideration, and beg leave to report back to the Senate that it do pass and be printed.

VAN ZANDT, Chairman.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

House Bill No. 321, by Thornton,

Have had the same under consideration, and beg leave to report back to the Senate that it do pass and be not printed.

VAN ZANDT, Chairman.

House Bill on First Reading

The following bill, received from the House today, was laid before the Senate, read first time, and referred to the committee indicated:

H. B. No. 16, to Committee on State Affairs.

Senate Joint Resolution 9 on First Reading

The following resolution was introduced, read first time, and referred to the Committee on Constitutional Amendments:

By Senator Metcalfe:

S. J. R. No. 9, A joint Resolution "Proposing to amend Section 9 of Article 8 of the Constitution by authorizing the Commissioners' Court of each county to levy annual taxes on all property subject to taxation in such county, not exceeding Ten (10¢) Cents on the One Hundred (100.00) Dollar valuation for the purpose of creating a fund for the relief of poor and indigent persons who are bona-fide residents of the county."

Report of Standing Committee

Senator Roberts, by unanimous consent, submitted at this time the following report of the Committee on Highways and Motor Traffic.

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 168, A bill to be entitled "An Act creating a Special Road Law for DeWitt County, Texas, providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of January 31, 1939, by the issuance of funding bonds; providing that items of indebtedness as of said date, in the form of scrip, or time warrants, may be included in such funding bond issue; setting forth the method of issuing such funding bonds; validating all acts of the Commissioners' Court and of the County Officials of said County in issuing said scrip or warrants; validating said scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said County when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

BROWNLEE, Chairman.

Bill Re-referred

On motion of Senator Weinert, S. B. No. 11 was re-referred from the Committee on State Affairs to the Committee on Finance.

House Bill 271 on Second Reading

On motion of Senator Moffett, and by unanimous consent, Senate rules 31a and 48 were suspended severally, to permit consideration of H. B. No. 271 at this time.

The President laid before the Senate, on its second reading and passage to third reading:

H. B. No. 271, A bill to be entitled "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts, and/or independent consolidated school districts which include within their limits a city or town which according to the last preceding Federal Census had a population of not fewer than four thousand one hundred thirty (4,130) and not more than four thousand one hundred eighty (4,180) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 321 on Second Reading

On motion of Senator Stone of Galveston, and by unanimous consent, Senate rules 31a and 48 were suspended severally, to permit consideration of H. B. No. 321 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 321, A bill to be entitled "An Act amending Article 5139 of the Revised Civil Statutes of Texas (1925) by adding a new Article to be known as Article 5139A providing for the establishment of a Juvenile Board in counties having a population of sixty-four thousand (64,000) inhabitants and not more than sixty-five thousand (65,000) inhabitants, according to the last preceding Federal Census, providing for the compensation of the Members of said Board, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 321 on Third Reading

Senator Stone of Galveston moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 321 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The President laid H. B. No. 321 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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House Bill 367 on Second Reading

On motion of Senator Redditt, and by unanimous consent, Senate rules 31a and 48 were suspended severally, to permit consideration of H. B. No. 367 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 367, A bill to be entitled "An Act to validate all county line independent rural high school districts partly situated in three (3) counties, the supervision of said schools being located in counties having a population of not less than eleven thousand, four hundred and twelve (11,412) nor more than eleven thousand, nine hundred (11,900), as shown by the last preceding Federal Census, validating the actions of the County School Board of Trustees of such counties; validating all proceedings and actions of said Boards of Trustees; providing a saving clause, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 367 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 367 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The President laid H. B. No. 367 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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House Bill 209 on Second Reading

On motion of Senator Redditt, and by unanimous consent, Senate rules 31a and 48 were suspended severally, to permit consideration of H. B. No. 209 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 209, A bill to be entitled "An Act to validate, ratify, approve, confirm and declare enforceable all levies and assessments of ad valorem taxes heretofore made by county line independent school districts, partly situated in three or more counties, the supervision of said school being located in counties having a population not less than 17,000 nor more than 17,500, as shown by the last preceding Federal Census, not in excess of a limit now provided by law. Such levies validated are the same as are now on record in the Auditor's Division of the State Department of Education. Such levies and assessments are void or unenforceable because the same were made and adopted by resolution, motion, or other informal action, and because of the failure of the governing body of such districts to appoint the proper and statutory Board of Equaliza-

tion; and which are insufficient and void; or unenforceable on account of technical irregularities in the manner of preparing the books and reports of Assessors assessing such property; and all equalizations of said valuations, etc.; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 209 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 209 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The President laid H. B. No. 209 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lemens
Beck	Martin
Brownlee	Metcalf
Burns	Moffett
Collie	Moore
Cotten	Nelson
Graves	Pace
Hardin	Redditt
Head	Roberts
Isbell	Shivers
Kelley	Spears

Stone of Galveston	Sulak Van Zandt
Stone of Washington	Weinert Winfield

Absent—Excused

Hill Small

Bill Re-referred

On motion of Senator Van Zandt, S. B. No. 24 was re-referred from the Committee on Civil Jurisprudence to the Committee on State Affairs.

Senate Bill 168 on Second Reading

Senator Roberts moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 168 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Small

On motion of Senator Roberts, and by unanimous consent; Senate rules 31a and 48 were suspended to permit consideration of S. B. No. 168 at this time.

The President laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 168 on Third Reading

The President then laid S. B. No. 168 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Small

Senate Bill 53 on Second Reading

Senator Moore moved that the legislative rule adopted pursuant to Section 5 of Article III of the State Constitution, relative to the consideration of bills during the first 60 days of the Regular Session of the Legislature, be suspended and that S. B. No. 53 be considered and disposed of by the Senate at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Small

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 53, A bill to be entitled "An Act amending S. B. 29, Chapter 13, Acts Fourth Called Session, Forty-first Legislature, so as to eliminate certain conflicts relative to the term of leases on prison lands; confirming and validating certain leases under certain circumstances and conditions; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 53 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The President laid S. B. No. 53 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lanning
Beck	Lemens
Brownlee	Martin
Burns	Metcalf
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Isbell	Roberts
Kelley	Shivers

Spears	Sulak
Stone	Van Zandt
of Galveston	Weinert
Stone	Winfield
of Washington	

Absent—Excused

Hill	Small
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Report of Standing Committee

Senator Brownlee, by unanimous consent, submitted at this time the following report of the Committee on Highways and Motor Traffic:

Austin, Texas,
February 7, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 90, A bill to be entitled "An Act repealing Chapter 21 of the Laws of the Forty-fourth Legislature, Regular Session, being House Bill No. 874, Pages 1185 and 1186 of the General and Special Laws of the Forty-fourth Legislature, Regular Session, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

Respectfully,
BROWNLEE, Chairman.

House Bill 201 on Second Reading

On motion of Senator Aikin, and by unanimous consent, Senate rules 31a and 48 were suspended to permit consideration of H. B. No. 201 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 201, A bill to be entitled "An Act to amend Sec. 1 of Art. 2691B, Chap. XI, Title 49 of the Revised Statutes, as enacted by the First Called Session of the Forty-second Legislature, and being found in Acts of 1931, Chap. XXXIX, at Page 83, by providing for the addition thereto of Lamar County, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 201 on Third Reading

Senator Aikin moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 201 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The President laid H. B. No. 201 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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(Senator Aikin in the Chair.)

Senate Bill 90 on Second Reading

On motion of Senator Stone of Washington, and by unanimous con-

sent, Senate rules 31a and 48 were suspended to permit consideration of S. B. No. 90 at this time.

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 90, A bill to be entitled "An Act repealing Chapter 21 of the Laws of the Forty-fourth Legislature, Regular Session, being House Bill No. 874, Pages 1185 and 1186 of the General and Special Laws of the Forty - Fourth Legislature, Regular Session, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 90 on Third Reading

Senator Stone of Washington moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 90 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Cotten
Beck	Graves
Brownlee	Hardin
Burns	Head
Collie	Isbell

Kelley	Shivers
Lanning	Spears
Lemens	Stone
Martin	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield
Roberts	

Absent—Excused

Hill Small

Report of Standing Committee

Senator Lanning, by unanimous consent, submitted at this time the following report of the Committee on Game and Fish:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 276, A bill to be entitled "An Act to prohibit the use of any trap, seine, or net of any kind or character for the purpose of taking or catching any fish out of the west fork or tributary of the Trinity River in Wise County, Texas, for a period of three (3) years from and after the effective date of this Act; prescribing a penalty therefor, providing, however, that this Act shall not prohibit the use of a minnow seine in such river; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

House Bill 276 on Second Reading

On motion of Senator Lanning, and by unanimous consent, Senate rules 31a and 48 were suspended to permit consideration of H. B. No. 276 at this time.

The Presiding Officer laid before the Senate on its second reading and passage to third reading:

H. B. No. 276, A bill to be entitled "An Act to prohibit the use of any trap, seine or net of any kind or

character for the purpose of taking or catching any fish out of the west fork or tributary of the Trinity River in Wise County, Texas, for a period of three (3) years from and after the effective date of this Act; prescribing a penalty therefor, providing, however, that this Act shall not prohibit the use of a minnow seine in such river, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 276 on Third Reading

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 276 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill Small

The Presiding Officer laid H. B. No. 276 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Lanning
Beck	Lemens
Brownlee	Martin
Burns	Metcalf
Collie	Moffett
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt
Isbell	Roberts
Kelley	Shivers

Spears	Sulak
Stone	Van Zandt
of Galveston	Weinert
Stone	Winfield
of Washington	

Absent—Excused

Hill	Small
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(President in the Chair.)

Bills Signed

The President signed in the presence of the Senate, after their captions had been read severally, the following enrolled bills:

H. B. No. 77, "An Act authorizing Commissioners' Courts in counties having a population of not less than forty thousand (40,000) inhabitants and not more than fifty thousand (50,000) inhabitants, and containing a city of not less than thirty thousand (30,000) inhabitants nor more than forty thousand (40,000) inhabitants, according to the last preceding Federal Census, to levy a direct tax of not more than Five (5¢) Cents on the one hundred dollars assessed valuation, for the purpose of advertising and promoting the growth and development of such counties and their county seats, and providing for an election authorizing such tax; and creating and providing for the appointment of a Board of County Development, devoted to the growth, advertisement, and development of such counties, and their county seats; and declaring an emergency."

H. B. No. 264, "An Act to amend Section 1 of House Bill No. 506, being Chapter 63, General and Special Laws of 1937 of the Forty-fifth Legislature, Regular Session."

H. B. No. 293, "An Act creating a Special Road Law for Kaufman County, Texas; providing that said County may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of June 8, 1938; setting forth the method of operation; validating the indebtedness proposed to be funded or refunded; validating all acts and proceedings heretofore had by the Commissioners' Court of said County, and officers thereof, in respect to the funding or refunding of said indebtedness; providing this law shall be cumulative

of general Laws on the subject of roads and bridges and General Laws on funding or refunding bonds not in conflict herewith; providing this law shall be cumulative of Special Road Laws for Kaufman County, Texas, not in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 324, "An Act validating all proceedings, notices, and orders directed toward the establishment and creation of Falls County Road District No. 5; validating any orders and proceedings directed toward the issuance of bonds; and declaring an emergency."

H. B. No. 325, "An Act validating all proceedings, notices, and orders directed toward the establishment and creation of Falls County Road District No. 15; validating any orders and proceedings directed toward the issuance of bonds; and declaring an emergency."

H. B. No. 360, "An Act to fix the maximum rate of tax to be levied for school purposes in all independent school districts and/or independent consolidated school districts which include within their limits a city or town which according to the then latest preceding Federal Census had a population of not fewer than one thousand and thirty (1,030) and not more than one thousand and eighty (1,080) inhabitants, whether organized under General or Special Law; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 378, "An Act to amend Article 4494 of the Revised Civil Statutes of Texas, 1925, by adding 4494b to allow counties of certain size to lease their county hospitals, and declaring an emergency."

H. B. No. 395, "An Act authorizing the County Judge to employ a stenographer or secretary in any county having a population of not more than seven thousand and fifteen (7,015) and not less than six thousand, six hundred and eighty-five (6,685) inhabitants, according to the last preceding census; regulating the salary of same; providing for payment of salary; providing for removal, and declaring an emergency."

Address by Hon. E. M. Davis

Senator Metcalfe, by unanimous consent, offered the following resolution at this time:

(Senate Resolution 21)

Whereas, Senator E. M. Davis of Brownwood, who represented the Twenty-fifth District in this body with much distinction in the Forty-fourth and Forty-fifth Legislatures, is at the bar of the Senate; now, therefore, be it

Resolved, by the Senate, That he be invited to address the Senate at this time.

The resolution was read; and on motion of Senator Metcalfe, and by unanimous consent, it was considered at this time and was adopted.

Accordingly, the President appointed Senator Metcalfe to escort Senator E. M. Davis to the President's stand.

Senator Metcalfe presented Senator Davis, who addressed the Senate briefly.

Senate Bill on First Reading

By unanimous consent, the following bill was introduced, read first time, and referred to the committee indicated:

By Senator Sulak:

S. B. No. 173, A bill to be entitled "An Act providing that all cities having a population of not less than 1,251 nor more than 1,259 may extend their corporation lines for school purposes only, providing the rights of scholastic children on the remaining part of the common school districts shall not be affected by the change; prescribing the proportion of taxes and school debts that the added territory shall bear; fixing the duty of assessing and collecting school taxes; and declaring an emergency."

Referred to Committee on Towns and City Corporations.

Report of Standing Committee

Senator Sulak, by unanimous consent, submitted at this time the following report of the Committee on Counties and County Boundaries:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 192, A bill to be entitled "An Act amending Article 2350 (4) of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 277, Acts of the Forty-fifth Legislature of Texas, Regular Session; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas, February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 132, A bill to be entitled "An Act providing for the construction, maintenance and operation of hospitals in counties having a population of not less than 17,600 and not more than 17,700 according to the United States Census of 1930; providing for the levying of a direct tax of not more than ten cents on the valuation of \$100.00, by the Commissioners' Court, for the purpose of constructing, maintaining and operating such hospital; authorizing and empowering the Commissioners' Court to lease any County Hospital to be operated by the Lessee under such terms and conditions as may be satisfactory to the Commissioners' Court and the Lessee, and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY, Chief Clerk,
House of Representatives.

House Bill 192 on Second Reading

On motion of Senator Sulak, and by unanimous consent, Senate rules 31a and 48 were suspended to permit consideration of H. B. No. 192 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 192, A bill to be entitled "An Act amending Article 2350 (4) of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 277, Acts of the Forty-fifth Legislature of Texas, Regular Session."

The bill was read second time and was passed to third reading.

House Bill 192 on Third Reading

Senator Sulak moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 192 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

Absent—Excused

Hill	Small
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The President laid H. B. No. 192 before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Roberts
Isbell	Shivers
Kelley	Spears
Lanning	Stone
Lemens	of Galveston
Martin	Stone
Metcalf	of Washington
Moffett	Sulak
Moore	Van Zandt
Nelson	Weinert
Pace	Winfield
Redditt	

Absent—Excused

Hill	Small
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Hour for Executive Session Set

Senator Shivers asked unanimous consent of the Senate that the Senate hold an executive session at 11:30 o'clock a. m. today, to consider nominations of the Governor.

The President announced there was objection to the request.

Senator Shivers moved that the Senate hold an executive session at 11:45 o'clock a. m. tomorrow to consider nominations of the Governor.

Senator Moore moved the previous question on the motion of Senator Shivers, and the motion for the previous question was duly seconded.

Question—Shall the main question be now ordered?

Yeas and nays were demanded, and the main question was ordered by the following vote:

Yeas—18

Brownlee	Pace
Collie	Redditt
Graves	Roberts
Hardin	Shivers
Isbell	Stone
Lanning	of Galveston
Lemens	Stone
Martin	of Washington
Moffett	Van Zandt
Moore	Weinert

Nays—7

Aikin	Nelson
Beck	Spears
Burns	Sulak
Metcalf	

Absent

Cotten	Kelley
Head	Winfield

Absent—Excused

Hill Small

Question then recurring on the motion of Senator Shivers, it prevailed.

Adjournment

On motion of Senator Van Zandt, the Senate, at 11:40 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.

NINETEENTH DAY

(Thursday, February 9, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Spears
Hardin	Stone
Head	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalfe	Winfield
Moffett	

Absent—Excused

Hill Small

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Hill was granted leave of absence for today, on account of important business, on motion of Senator Aikin.

Senator Small was granted leave of absence for today, on account of illness, on motion of Senator Spears.

Reports of Standing Committees

Senator Spears submitted the following report of the Committee on Labor:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 39, A bill to be entitled "An Act to Amend an Act of the Legislature passed in 1905, entitled 'Owners May Weigh & Etc.' Pertaining to Public Weighers and other Acts of the Legislature pertaining to the office of Public Weigher, and other persons engaged in weighing for the Public, and repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SPEARS, Chairman.

Senator Sulak submitted the following report of the Committee on Towns and City Corporations:

Austin, Texas,
February 8, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred

S. B. No. 173, A bill to be entitled "An Act providing that all cities having a population of not less than 1,251 nor more than 1,259 may extend their corporation lines for school purposes only, providing the rights of scholastic children on the remaining part of the common school districts shall not be affected by the change; prescribing the proportion of taxes and school debts that the added territory shall bear; fixing the duty of assessing and collecting school taxes; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

AIKIN, Acting Chairman.